

AMENDED IN ASSEMBLY JULY 23, 2004  
AMENDED IN ASSEMBLY JUNE 30, 2004  
AMENDED IN SENATE MARCH 23, 2004

**SENATE BILL**

**No. 1745**

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**Introduced by Senator Perata**

February 20, 2004

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An act to add Section 1271.15 to the Health and Safety Code, and to add Section 5675.2 to the Welfare and Institutions Code, relating to mental health.

LEGISLATIVE COUNSEL'S DIGEST

SB 1745, as amended, Perata. Mental health rehabilitation centers.

(1) Existing law authorizes Placer County and up to 15 additional counties to establish a pilot project to develop a shared mental health rehabilitation center for providing community care and treatment for persons with mental disorders who are placed in a state hospital because there is no available community placement and authorizes the State Department of Mental Health to establish appropriate licensure requirements for new programs for the treatment of mental illness.

This bill would require each new and renewal application for a license to operate a mental health rehabilitation center to be accompanied by an application or renewal fee, and to expire 12 months from the date of issuance.

(2) Existing law authorizes a health facility to place up to 50% of its licensed bed capacity in voluntary suspension for up to 3 years, unless extended, and authorizes the health facility to remove all or any portion of its voluntarily suspended bed capacity from voluntary suspension unless the facility fails to meet currently applicable operational

requirements or fails to meet construction requirements for the health facility in effect at the time the request for suspension of the beds was received by the department.

This bill would similarly authorize a ~~general acute care hospital or and acute psychiatric hospital~~ health facility to voluntarily suspend all or part of its bed capacity or to voluntarily suspend its license for the purpose of operating a mental health rehabilitation center and would permit the facility to reinstate the suspended facility bed capacity or license unless the facility fails to meet currently applicable operational requirements for a ~~general acute care hospital or acute psychiatric hospital~~ health facility or fails to meet construction and life safety requirements for the facility in effect at the time the facility was originally licensed as a ~~general acute care hospital or acute psychiatric hospital~~ health facility.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 1271.15 is added to the Health and
- 2 Safety Code, immediately following Section 1271.1, to read:
- 3 1271.15. (a) Notwithstanding any provision of law to the
- 4 contrary, including, but not limited to, Section 1271.1, a ~~general~~
- 5 ~~acute care hospital or an acute psychiatric hospital~~ health facility
- 6 may do any of the following:
- 7 (1) (A) It may place all or a portion of its licensed bed capacity
- 8 in voluntary suspension for the purposes of using the facility to
- 9 operate a mental health rehabilitation center pursuant to Section
- 10 5675 of the Welfare and Institutions Code after submitting written
- 11 notification to the State Department of Health Services and to the
- 12 Office of Statewide Health Planning and Development.
- 13 (B) A mental health rehabilitation center operating under this
- 14 paragraph may remove all or any portion of its voluntarily
- 15 suspended bed capacity from voluntary suspension by submitting
- 16 a request to the State Department of Health Services.
- 17 (C) The department shall grant the request under subparagraph
- 18 (B) to remove bed capacity from voluntary suspension and to
- 19 reinstatement of the ~~general acute care hospital or acute~~
- 20 ~~psychiatric hospital~~ health facility bed capacity, unless the facility
- 21 fails to meet currently applicable operational requirements for a



~~general acute care hospital or an acute psychiatric hospital~~ health facility or fails to meet construction and life safety requirements for the ~~general acute care hospital or acute psychiatric hospital~~, as the case may be, for the health facility in effect at the time the facility was originally licensed as a ~~general acute care hospital or an acute psychiatric hospital~~. health facility.

(2) (A) It may voluntarily surrender its license for the purpose of converting the facility to a mental health rehabilitation center pursuant to Section 5675 of the Welfare and Institutions Code after submitting written notification to the State Department of Health Services and to the Office of Statewide Health Planning and Development.

(B) A mental health rehabilitation center operating under this paragraph may elect to convert the facility back to a ~~general acute care hospital or an acute psychiatric hospital~~ and health facility and to be issued a new ~~general acute care hospital or acute psychiatric hospital~~ health facility license by submitting a request to the State Department of Health Services.

(C) The department shall grant a request under subparagraph (B) to convert the facility back to a ~~general acute care hospital or acute psychiatric hospital~~ health facility and to issue a new ~~general acute care hospital or acute psychiatric hospital~~, as the case may be, health facility license, unless the facility fails to meet currently applicable operational requirements for a ~~general acute care hospital or an acute psychiatric hospital~~ health facility or fails to meet construction and life safety requirements for the ~~general acute care hospital or acute psychiatric hospital~~ for the health facility in effect at the time the facility was originally licensed as a ~~general acute care hospital or an acute psychiatric hospital~~, as the case may be. licensed as a health facility.

(b) This section authorizes the voluntary suspension of bed capacity or surrender of a license by a ~~general acute care hospital or an acute psychiatric hospital~~ health facility only for the purpose of converting the facility for use as a mental health rehabilitation center pursuant to Section 5675 of the Welfare and Institutions Code.

SEC. 2. Section 5675.2 is added to the Welfare and Institutions Code, to read:

5675.2. (a) Commencing January 1, 2005, each new and renewal application for a license to operate a mental health

1 rehabilitation center shall be accompanied by an application or  
2 renewal fee.

3 (b) The amount of the fees shall be determined by the State  
4 Department of Mental Health, but the total amount of the fees  
5 collected shall not exceed the actual costs of licensure and  
6 regulation of the centers, including, but not limited to, the costs of  
7 processing the application, inspection costs, and other related  
8 costs.

9 (c) Each license or renewal issued pursuant to this chapter shall  
10 expire 12 months from the date of issuance. Application for  
11 renewal of the license shall be accompanied by the necessary fee  
12 and shall be filed with the department at least 30 days prior to the  
13 expiration date. Failure to file a timely renewal may result in  
14 expiration of the license.

